

Temporary Judge Program Information

What is a Temporary Judge?

Temporary judges (commonly refereed to as “pro tems”) provide a valuable service in some of the court’s busiest venue. Each month, hundreds of attorneys regularly serve as temporary judges in trial courts across the state. Often people experience their only “day in court” before a temporary judge.

Need for Temporary Judges in San Bernardino

As one of the largest trial court systems in the state, the San Bernardino Superior Court requires the service of many temporary judges each month. The court utilizes them to hear various types of cases, including small claims, traffic, juvenile, and probate, and to hear settlement conferences in family and civil cases. Temporary judges can serve in all court locations. Evening scheduling is also available for traffic cases.

New Rules and Administrative Policy Governing Temporary Judges

The Judicial Counsel, which governs all state courts, recently enacted rules 2.810-2.819 of the California Rules of Court to govern the selection, training, appointment, supervision, and evaluation of court-appointed temporary judges. The new rules result from a year-long state study which showed public dissatisfaction with certain types of cases. The public perceived procedural fairness to be lower in traffic, family and small claims cases compared to other case types. Because these are areas in which court-appointed temporary judges are often used, the state created new regulations designed to enhance the quality of temporary judging. Although the new rules took effect on July 1, 2006, the court has a statutory grace period until January 2007 to ensure that its current temporary judges comply with the new eligibility and training requirements. These new rules formed the basis for the court’s revised administrative policy, which applies to both temporary judges.

Applying to be a Temporary Judge

To qualify for appointment as a temporary judge, an applicant must be an active member of the California State Bar in good standing for a least ten years immediately preceding appointment. Applications are now being accepted and reviewed by the court.

The new rules require that applicants complete mandatory training in bench conduct and demeanor, ethics, and substantive areas, for which MCLE credit will be provided.

For more information about the court’s Temporary Judge Program, please contact Sharon Prentiss at Sprentiss@courts.sbcounty.gov or call 909-387-6365.

Training Requirements

Mandatory Training in Ethics

The mandatory training in Ethics developed by the Education Division of the California Center for Judicial Education and Research (CJER) is available on-line at http://www2.courtinfo.ca.gov/cjer/pro_tem.htm. Judicial Council adopted Rules 2.810 – 2.819 of the California Rules of Court regarding use of temporary judges. Among those rules, Rules 2.812 and 2.813 specifically address educational requirements.

Small Claims

All temporary judges wishing to serve in small claims must complete substantive training pursuant to CCP section 116.240(b) and rule 2.813 (c). CJER currently has an on-line course entitled *Small Claims Court: Procedures and Practices* available on the temporary judge resource page at http://www2.courtinfo.ca.gov/cjer/pro_tem.htm. If you are applying to sit in small claims, you must provide the court with a copy of the Certificate of Completion of this on-line course that you can download and print after taking the course. On the certificate, you must certify that you have taken the on-line course and that you have reviewed the materials identified in the table of substantive law training topics in the course resources (a separate link on the temporary judge resource page directly beneath the Small Claims Court: Procedures and Practices link). To obtain three MCLE credits for taking the on-line course and reviewing the course resources, you should retain a copy of the Certificate of Completion for your records.

Unlawful detainers

All temporary judges wishing to serve in Unlawful Detainers must complete substantive training. CJER currently has an on-line course entitled *Unlawful Detainer* available on the temporary judge resource page at http://www2.courtinfo.ca.gov/cjer/pro_tem.htm. If you are applying to sit in traffic, you must provide the court with a copy of the Certificate of Completion of this on-line course that you can download and print after taking the course. On the certificate, you must certify that you have taken the on-line course. To obtain three MCLE credits for taking the on-line course and reviewing the course resources, you should retain a copy of the Certificate of Completion for your records.

Traffic

All temporary judges wishing to serve in Traffic must complete substantive training identified in Rule 2.813(d). CJER currently has an on-line course entitled *Traffic* available on the temporary judge resource page at http://www2.courtinfo.ca.gov/cjer/pro_tem.htm. If you are applying to sit in traffic, you must provide the court with a copy of the Certificate of Completion of this on-line course that you can download and print after taking the course. On the certificate, you must certify that you have taken the on-line course. To obtain three MCLE credits for taking the on-line course and reviewing the course resources, you should retain a copy of the Certificate of Completion for your records.

Family

All temporary judges wishing to serve in Family Law Court must complete substantive training. CJER currently has an on-line course entitled *Calendar Management in Family Court; Custody and visitation; Determining Income; Child and Spousal Support; Characterizing Property; and*

Dividing Property available on the temporary judge resource page at http://www2.courtinfo.ca.gov/cjer/pro_tem.htm. If you are applying to sit in Family Court, you must provide the court with a copy of the Certificate of Completion of these on-line courses that you can download and print after taking the course. On the certificate, you must certify that you have taken the on-line course. To obtain three MCLE credits for taking the on-line course and reviewing the course resources, you should retain a copy of the Certificate of Completion for your records.

Juvenile

All temporary judges wishing to serve in Juvenile Dependency or Delinquency Hearing must complete substantive training. CJER currently has an on-line course entitled *Juvenile Dependency Hearings and Juvenile Delinquency Hearings* available on the temporary judge resource page at http://www2.courtinfo.ca.gov/cjer/pro_tem.htm. If you are applying to sit in Juvenile, you must provide the court with a copy of the Certificate of Completion of this on-line course that you can download and print after taking the course. On the certificate, you must certify that you have taken the on-line course. To obtain three MCLE credits for taking the on-line course and reviewing the course resources, you should retain a copy of the Certificate of Completion for your records.

Other case types

CJER is in the process of developing web-based, on-line substantive training courses relative to probate law, general civil law and general criminal law which will be available in early 2007. You can check the status of the availability of these courses at http://www2.courtinfo.ca.gov/cjer/pro_tem.htm. MCLE credit is available on the on-line courses provided by CJER (a copy of your Certificate of Completion will constitute your record of MCLE self-study credits).

Submission of Certificate of Completion: Please submit the Certificate of Completion for on-line courses to the Temporary Judge Administrator along with your application materials; or, if you take the course after submitting your application materials, please mail or fax the Certificate to the Temporary Judge Administrator:

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